

REMARKS

The Examiner has requested that Applicant check the specification to correct any errors which Applicant may become aware of. Applicant has reviewed the specification and Applicant is not aware of any errors which require correction.

The Examiner has rejected claims 1-4 under 35 USC 102 as being anticipated by Barber, stating that Barber discloses a customer information collection method in which personal information of an individual who downloads and uses digital information is collected as customer information by a third party other than said individual as a result of said third party acquiring rights to use the digital information, the customer information collection method comprising the steps of receiving an indication of a desire to use digital information from an individual, prompting the individual who has indicated the desire to input his/her own personal information as customer information, collecting and compiling the input customer information and sending a password to the individual so that the individual can use the digital information.

In reply thereto, Applicant has carefully reviewed Barber and respectfully submits that the Examiner has misunderstood the teachings of Barber. In particular, Applicant respectfully submits that Barber describes a method to provide secure connections to a database within an organization and these connections are made by the organization's own employees (see col. 4, lines 33-50). Still further, Applicant respectfully submits that the system of Barber does not collect and compile customer information. In contrast thereto, Applicant's invention collects and compiles demographic and other profile data from customers and stores this compiled data for use by third parties.

In view of the above, therefore, Applicant respectfully submits that Barber appears to teach the opposite of Applicant's invention and does not teach each and every element thereof. Therefore, Applicant respectfully submits that claims 1-4 are not anticipated by Barber.

The Examiner has rejected claims 5-8 under 35 USC 102 as being anticipated by Barber, stating that Barber discloses a customer information collection method in which personal information of an individual who downloads and uses digital information is collected as customer information by a third party other than said individual as a result of said third party acquiring rights to use the digital information, said customer information collection system comprising a means which receives an indication of a desire to use digital information from an individual, a means which prompts the individual who has indicated the desire to input his/her

own personal information as customer information, a means that sends a password to the individual so that the individual can use the digital information.

In reply thereto, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and Barber and again point out that Barber essentially operates in the reverse of Applicant's invention and does not collect customer information for use by third parties. Therefore, Applicant respectfully submits that Barber does not show each and every element of Applicant's invention as claimed by claims 5-8 and claims 5-8 are not anticipated thereby.

In view of the above, therefore, it is respectfully requested that this Response be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Response or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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Name

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